M

Home (1948) Department.

M.S. SERIES. D.6218

G.O. No. 2395

Dated 25-6-1948

[Despatch Abstract.]

Indian Administrative Service probationers – Visit to Provincial headquarters during vacation in June July 1948 – Programme of training – Arrangements.

GOVERNMENT OF MADRAS.

Public (Special) Department.

U.O. Note No.815/48-6 dated the 19th May 1948.

Sub:-I.A.S. Probationers - Visit to Provincial Headquarters during vacation in June - July 1948 Programme of training - Arrangements

Ref:-U.O.Note No.815/48-1, Public (Special), dated 1-3-1948.

In continuation of the U.O.Note cited, the Departments of the Secretariat (except Legal) are informed that four I.A.S. probationers viz Messrs. (1)V.Karthikeyan (2) S.Chidambaram (3) R.Tirumalai and (4) M.G.Balasubramanian who have been allotted to this Province will be arriving in Madras 16-6-1948 to undergo training for about a fortnight. The following will be the programme during their stay:

Date			Engagement.
16-6-1948	Wednesday	Morning	Call on Chief Secretary and visit to Public Department.
		Evening	Call on Hon'ble Premier and other Hon'ble Ministers.
17-6-1948	Thursday		Revenue Department.
18-6-1948	Friday	Morning	Finance Department
		Evening	Legislature Secretariat.
19-6-1948	Penultimate Saturday		Holidays.
20-6-1948		Sunday	
21-6-1948	Monday	Morning	Home Department
		Evening	Food Department
22-6-1948	Tuesday		Development Department
23-6-1948	Wednesday	Morning	E & P H Department
		Evening	Local Administration Department
24-6-1948	Thursday	Morning	Public Works Department
		Evening	Firka Development Department
25-6-1948	Friday	[illegible]	Visit to Chingleput Collectorate
26-6-1948	Saturday		Vist toa village accompanied by a senior Deputy Collector
27-6-1948	Sunday		Holiday
28-6-1948	Monday		Call on Hon'ble Premier and Hon'ble Ministers to say good-bye.

K.Ramunni Menon,

CHIEF SECRETARY TO GOVERNMENT.

To

Public (General - B) Department.
Revenue Department.
Finance Department.
Legislature Secretariat.
Home Department.
Food Department.
Development Department.
E and P.H. Department.
Local Administration Department
Public Works Department.
Firka Development Department.

TRUE COPY.

Superintendent,
MADRAS RECORD OFFICE.

GOVERNMENT OF MADRAS.

HOME DEPARTMENT

U.O.Note No.19101-I/48-2. dated the 18th June 1948.

Sub:- I.A.S. probationers - Visit to Provincial Head Quarters during vacation in June - July 1948- Programme of training - Out line of talk to be given.

Ref:-U.O.Note from Public (Special) Department No. 815/48-12 dated 28-5-1948.

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A copy of the out line of the talk proposed to be given to the I.A.S.Probationers in the Home Department is forwarded to the Public (Special) Department. A copy of it has been sent to the Collector Chingleput with reference to paragraph 4 of U.O.Note No.815/48-1. Public (Special) Department dated 1-3-1948.

To the Public (Special) Department.

Copy to the Collector of Chingleput.

(TRUE COPY)

Superintendent,
Madras Record Office.

AG

Outline of a talk on the work of the Home Department

The major Departments under this Home Department are four (1) Police (2) Judiciary (3) Jails and Borstal School (4) Motor Transport. Among the minor Departments may be mentioned Criminal Tribes and (1) Criminal Tribes Settlements (2) certified schools (3) Probation (4) Vigilance work.

(1) The Police: Constitutions of the Department - Heirachy of Officers Principal functions.

Armed Reserves - The M.S.P - Proposals for the Constitution of a Madras Special Police. The Special Armed Police Units. The Village Police.

(2) The Judiciary Criminal

The High Court
the Chief Presidency Magistrate
The Heirarchy in the mufassal

Civil

The High Court
District Judges, Sub Judges and Dt. Munsiff.

The Honorary Magistrates: In Madras and the Muffasal.

Proposals for the Separation of Judiciary from the Executive Broad purport of the scheme.

(3) Jails and Borstal Schools

Classification of Jails - Administrative heirarchy.

Life Inside Prisons Prison Labour & Industries - Education of Convicts - Religious and moral lectures - classification of Prisons - Food, medical attention etc., Privileges and amenities.

Jail Visitors

After care - The work of the Discharged Prisoners Aid Society.

Premature release

New proposals under consideration

Earning schemes - Self sufficiency in the matter of diary products - Release on parole.

Borstal Schools

(4) Motor Transport

Constitutions and functions of the Central Road Traffic Board District Road Traffic Boards.
Inspection of Motor Vehicles.
Administration of the M.V.T. Act.

Nationalisation of Motor Transport

Aims and Policy - What has been done so far in Madras City - Future.

(5) Criminal Tribes - Reclamation and Settlements.

The repeal of this C.T. Act.

The new M.R.H.O. Act. Scope and effect.

Reclamation Work Schools boarding hostel, Scholarships etc.

Settlement

(6) Certified school

The Children Act. ~~xxxxxxxxxxxxx~~ Constructions of schools. Problems of juvenile destitutes and deliuquency and how it is proposed to tackle them under a new Children Act now under consideration.

(7) Probation Work.

Principal object and modus operandi - Provincialisation of Probation Services

(8) Vigilance work M.S.I.T Act Provincialisation Rescue Homes and Shelters.

Home Department.

POLICE DEPARTMENT.

The Inspector General of Police is the head of the Police Department in this Province and Adviser to Government in all matters, connected with the Police Administration. He exercises general control over the Police Force. He may, from time to time, subject to the approval of the Government, frame general orders and regulations as he deems expedient relative to the general government and the distribution of the police force to the collecting and communicating of intelligence and information and all other matters relating to the force.

Officers of the Indian Police were hitherto appointed to the post of the Inspector General of Police. The present Inspecto General of Police is however an I.C.S. officer.

The Police Administration in the City of Madras is in the charge of the Commissioner of Police, who is an officer of the rank Deputy Inspector General of Police is assisted by 3 Deputy Commissioners one in charge of Law and Order, the one in charge of the Crime Branch and the third in charge of Traffic and Licensing There are also eight Assistant Commissioners of Police as follows:- for Crime Branch, for Intelligence, for Transport, for Armed Reserve for Traffic and Licensing, 3 for law and order divisions. (Central, Southern and Northern Divisions).

There are Deputy Inspector Generals in charge of ranges. Each range consists of 6 or more divisions. There is also a Deputy Inspector General in charge of Criminal Investigation Department and the two Railway Police Districts. The charges of the Deputy Inspector Generals are shown below:-

NORTHERN RANGE

Visakhapatnam South } One
-do- North } revenue district
East Godavari
West Godavari
Krishna
Guntur
Nellore

CENTRAL RANGE

KURNOOL
Bellary
Anantapur
Cuddapah
Chittoor
Chingleput
North Arcot

SOUTHERN RANGE

South Arcot
Tanjore
Madura North } one revenue
Madura South } district
Ramnad
Tinnevelly

WESTERN RANGE

Tiruchirappalli
Salem
Coimbatore
Nilgiris.
Malabar
South Kanara

Deputy Inspector General, C.I.D. & Railways

Railway Police Districts (Trichy & Madras)
C.I.D.

The Deputy Inspector General is a link in the chain of responsibility between the Inspector General of Police and the District Officers. He carried out a large amount of inspection and as far as possible inspects each district in his range each year. He should also maintain efficiency and discipline, ensure uniformity of procedure and practice and secure co-operation

between

between the Police of his several districts as well as the harmonious working between the Police and the Magistracy. He should also control, instruct, and advise District Superintendent of Polices. Besides, he decides appeals from the Orders of the District Superintendent of Polices and it is his duty to exercise constant scrutiny over the course of investigation of cases and see that superior officers take an adequate part therein. He has a large measure of administrative control within his range.

The head of the district so far as the Police force is concerned is the District Superintendent of Police. He is responsible for all matters relating to its internal economy and management, for the maintenance of its discipline and punctual, and regular performance of all its preventive and executive duties. The District Superintendent of Police is the District Magistrates Assistant for Police purposes, and it is his duty to keep the latter fully informed, both by personal conference and special report, of all matters of importance concerning the peace of the district and the state of crime. The District Superintendent of Police should whenever practicable, personally investigate and superintend the investigation of serious crimes such as dacoity, highway robbery, murder etc.

There are Police Sub-Divisional Officers who are called Assistant Superintendent of Police or Deputy Superintendents of Police as the case may be, who are generally in charge of police work in a Revenue division and exercise the same functions, the former being members of the All India Service and the latter of the Provincial Service. They are under the orders of their respective District Superintendent of Polices whom they are bound to keep fully informed of their proceedings and of what is going on in their sub-division and to consult in all matters of difficulty. They should, whenever possible personally investigate cases of grave crime.

Inspectors of Police are of non-gazetted rank and work immediately under the Sub Divisional Officer. They are generally in charge of a circle consisting of a taluk or a big town. Their principal duties are to supervise the Police work of the circle in all its branches, to maintain discipline among their subordinates, and to see to the up-keep of arms accoutrements and other Government property and buildings, and to keep their immediate superiors informed of the state of crime from police point of view. The Inspector of Police is expected to inspect each of his stations once in 3 months, constantly and systematically to tour throughout his circle making enquiries about bad characters, state of crime and the general efficiency and honesty of the work of the Police.

Sub Inspectors of Police are employed as Station House Officers. Each is in charge of a portion of a taluk and is directly responsible for the investigation of crimes and the police administration of his charge. Each station consists of a number of head constables and constables who are under the immediate control of the Sub Inspector who is the Station House Officer.

Sergeant-Major and Sergeant are generally attached to Armed Reserve. Sergeant-Major are in charge of the Reserve and Sergeants are responsible for the training, discipline and general control of the platoon in their charge. Sergeants are also employed in certain big town and important Railway Police Stations for assisting in the maintenance of law and order training in drill and regulation of traffic. Sergeant Major and Sergeant are generally entrusted with the function of investigation of crime.

FUNCTIONS.

The main function of the Police is the maintenance of law and order. In this province, the primary police duties are performed by the ordinary police force assigned to each district Besides this force, there are Armed Reserves in each district to deal with emergencies, e-g- the occurrence of riots, communal disturbances, labour troubles and breaches of public peace which demand the presence of a better armed and disciplined force than the ordinary force. They are armed reserves in the city also.

In addition to the Armed Reserves in the districts and city, there are also 2 new formations known as (1) the range Armed Reserves which are local strategic force at the disposal of the Deputy Inspector General's and (2) the Railway Police Armed Reserves intended for railway protection duty at the disposal of the concerned Superintendent of Railway Police.

There is also a special police force called the Malabar Special Police. The Companies of the M.S.P. are stationed in Ernad and Walluvanad taluks of the Malabar district and in certain other parts of the Province where they had to be deputed to assist the local police in the maintenance of law and order.

This force was formed as the result of the experience in the Mapilla rebellion in 1921-22. This Force had its headquarters at Malapuram and detachments in 3 other places.

In addition to the Armed Reserves and the Malabar Special Police referred to above, the Government have also recently sanctioned the formation of six Special Armed Police Units for purposes of internal security in view of the present troubled conditions in the country. At present two of them are located at Red Hills, one at Bellary and the fourth at Tadepalligudam. The 5th and 6th Units have yet to be raised. The

The C.I.D is constituted to deal with the crime of special character and criminal organisations of more than local importance. This is in charge of the D.I.G., C.I.D. & Railways who has his headquarters at Madras. There is also a special Branch under his control to investigate cases of corruption and bribery etc.,

The Railway Police is employed for the preservation of law and order within the railway limits. There are two Railway Police districts with headquarters at Madras and Tiruchirapalli. This force is in charge of the D.I.G., C.I.D and Railway.

In addition to the normal Police there are talayaris in the villages who are called village police. They are intended to assist the Police in the execution of their duties. Normally, their duties consist of patrolling the village and the high roads and thoroughfares within its limits and reporting the movements of criminals whose names have been entered in the village magistrates registers and also the presence of suspicious strangers. They are under the control of the village magistrate, but on the orders of the District Magistrate they have to patrol such portions of the open railway line as may be allotted to them irrespective of the villages to which they belong.

Home Department.

CRIMINAL JUSTICE.

The High Court.

The High Court exercises both original and appellate jurisdiction (civil and criminal). On the criminal side, cases committed by magistrates within Madras City are tried at High Court Sessions of which there are four in a year.

Madras City

There are six stipendiary Presidency Magistrates in the city and one of them is styled the Chief Presidency Magistrate.

Mufassal

Each District of the Province is in the charge of a single officer known as the Collector and District Magistrate who is a member of the Indian Civil Service or a specially selected member of the Madras Civil Service. He is the direct representative of the Government for all general purposes in the district. The collector of Madras does not, however, exercise magisterial powers.

As District Magistrate he is the Chief Executive authority in the District and as such is responsible to the Government for the maintenance of law and order and the criminal admistration of the District for which purpose the police force is under his control and direction and the Superintendent of Police is his assistant, though the Superintendent and the police force which he commands are under the disciplinary control and technical supervision of the Inspector General of Police and his Deputies He is also responsible for the administrative control of the subordinate magistracy. He rarely tries original criminal cases but he is responsible for seeing that the trying magistrates do their work properly. In the discharge of his duties as District Magistrate he is assisted by his Personal Assistant who is appointed as Additional District Magistrate. The A.D.M. is invested with all the powers of a District Magistrate.

For purposes of the administration of criminal justice. the mufassal area is divided into sessions divisions which are presided over by sessions judges, who are also District Judges on the civil side. Sessions Judges try all criminal cases committed to them by I and II class Magistrates and hear appeals from the sentences of I class Magistrates; appeals from the Judgements of Sub Judges lie to the High Court. They are assisted by the Assistant Sessions Judges who are also subordinate Judges on the civil side. They try such cases as are transferred to them by the Sessions Judge of each division.

The Revenue Divisional Officer and Sub Divisional Magistrate.

Each district is divided into a number of sub divisions, usually 3 to 5. Each division is in the charge of a R.D.O and S.D.M. who is usually a member of the Madras Civil Service though one or more in each District is a junior member of the I.C.S. These officers are the principal assistants of the District Magistrate and are responsible to him for the maintenance of law and order in their divisions. Each occupies a position in his division corresponding to that of a District Magistrate in his District and is expected to keep in touch with the activities of all Departments of the Government in his divison and to have the same general knowledge concerning his division.

As Sub Divisional Magistrate he tries all important cases which are not sufficiently serious to be committed to the court of session i.e. which do not require a punishment more severe than Rigorous Imprisonment for 2 years and he hears appeals from the Subordinate Magistrates who are under his administrative control. In order that Revenue Divisional Officers may be in a position to devote more attention to Revenue work and to the uplift and welfare of villagers generally, the Government introduced in 1942 a scheme by which officers of the standing of Tahsildars are appointed as Additional First Class Magistrates to relieve the Revenue Divisional Officers who are also Sub Divisional Magistrates of the greater part of their court work. One or more Additional First Class Magistrates have been appointed in each District according to the volume of work in the District. These Additional First Class Magistrates give relief to the Sub Divisional Magistrates by trying calender cases. The S.D.Ms. continue to try important calendar cases and cases under the security sections of the Criminal Penal Code and to hear appeals.

The Tahsildar and the Sub Magistrate.

Each division consists of one or more taluk, and sub Taluks each of which is in the charge of either a Tahsildar or a Deputy Tahsildar who is responsible for the collection of revenue. The Tahsildar is also invested with magisterial powers but he rarely exercises them.

For each taluk there is a Sub Magistrate stationed at the Tahsildar's headquarters who disposes of all criminal cases which are not of sufficient importance to be tried by the S.D.M. or so petty as to bring them within the jurisdiction of the Bench Court. A Deputy Tahsildar, where such an officer exists, also exercises the powers of a sub magistrate and tries within his jurisdiction the cases which would otherwise have been disposed of by the S.M. at the Tahsildar's headquarters. In some places, Taluk Sarishadars and head accountants also exercise magisterial powers.

The Village officers.

For each village there is a headman, a karnam and usually 3 or more village servants. These attend to the actual details of general administration in the village. The headman is the representative of Government in the village. In places where panchayat courts have been established under the Madras Village Courts Act, they exercise criminal jurisdiction to a limited extent. They may impose fines not exceeding Rs.15/-

The posts of magistrates are now held by members of the Revenue Department who perform magisterial duties along with their work in the Revenue Department except in the case of sub magistrates and Additional First Class Magistrates who are whole time magistrates. The question of forming a separate cadere of magistrates apart from the Revenue Department is under the consideration of the Government.

HOME DEPARTMENT.

Note on the administration of Justice (Civil) in the Province.

High Court:

The maximum number of Judges fixed for the High Court of Judicature at Madras is fifteen excluding the Chief Justice. Besides the Chief Justice there are at present thirteen permanent posts of Judges and two temporary additional Judges.

The High Court exercises both original and appellate jurisdiction (civil and criminal). Under its original civil jurisdiction the High Court tries all suits arising within the limits of the City of Madras except those up a value of Rs.2,000/- which are tried in the Small Cause Court and other suits upto a value of Rs.5,000 which are tried in the City Civil Court. It is usual for two Judges to sit on the original side for civil work and one Judge to take sessions. The remaining Judges sit on the Appellate Side, one for admission and miscellaneous work both civil and criminal, a Bench of two for first appeals, Original Sides appeals, Letters Patent appeals and income tax references, two Benches of two Judges each for first appeals and civil miscellaneous appeals over Rs.5,000 in value. About three or four Judges sit singly to attend to second appeals, City Civil Court appeals, civil miscellaneous appeals and civil revision petitions. Reference under the Legal Practitioners Act, Bar Councils Act, the Stamp Act and cases under the Divorce Act are heard by a Bench of three Judges. A full bench of three or more Judges is sometimes constituted by the Chief Justice to decide important questions of law that may be referred by a Judge or Bench of Judges. The Constitution of the Benches and the distribution of work are arranged by the Chief Justice. Weekly sitting lists are printed and published in advance showing the sittings of the Judges for the week.

In addition to their judicial duties the Judges have a very considerable amount of administrative and other work to do. This work may be classified under three main heads:-

(1) Administrative work arising out of the functioning of the High Court itself;

(2) Administrative work in connection with the judicial department as a whole arising out of,--

(a) the exercise of powers of supervision vested in the High Court under section 224 of the Government of India Act, 1935 and the powers delegated by the Government to the High Court

(b) The exercise of the functions of intermediate authority between the mufassal courts and the Government in all matters requiring Government sanction or orders;

(3) Work in connexion with consideration of Bills and other matters forwarded by the Government of India or the Provl. Govt. to the Judges for their opinion;

(4) The framing of rules under various Acts which invest the High Court with rule-making powers.

As regards (1) the Registrar is responsible solely to the Chief Justice in matters connected with the organization and establishment of the High Court itself. This branch of work therefore while it adds considerably to the work of the Chief Justice, does not add to the burden of the Judges as a body. and it is hardly necessary to describe it in any detail.

As regards (2) each Judge takes a branch or branches of work but questions of considerable importance are decided at a Judge's meeting or by circulation to all Judges. There is of course a great deal of work of a more or less routine character, but the more important branches of work are as follows:-

A. Finance
B. Appointment, posting and transfer of Judical officers;
C. Supervision of lower courts
D. Questions regarding establishment of new courts and continuance of temporary courts
E. Supervision of official Receivers and Official Assignee, Madras.
F. Establishment questions.

It has been the practice for the Senior I.C.S. Judge to take the questions under B and for another Judge to take Finance. In regard to B, the High Court has full powers over the posting and transfers of District Munsifs. The High Court is vested with powers to promote them to the cadre of Sub Judges. The High Court is consulted in making appointments of District and Sessions Judges, Chief Judge, Court of Small Causes and Chief Presidency Magistrate. The High Court's supervision over lower courts is exercised by the perusal of District Judges' notes of inspection of sub courts and by the perusal of judgment in all sessions cases and by the review of statistical returns, civil and criminal. For the latter purposes and for the purpose of general supervision each judge is allotted two or three districts. Dt. Courts are also inspected from time to time by individual Judges.

Mufassal Civil Courts.

The Dt. Judge is appointed by the Provl. Government under the Government of India Act and is the principal Judge of a dist. The Dt. Judge has general control over all the civil courts in a dt.

The jurisdiction of the District Judge extends, subject to the rules in the Code of Civil Procedure, to all suits and proceedings of a civil nature. Regular or orginal special appeals from the decrees and orders of the Dt. Court lie to the High Court subject to the provisions of the Code of Civil Proceedure.

Appeals from the decrees and orders of Sub Judges and Dt. Munsiffs generally lie to the Dt. Court, except when the amount or value of the subject matter of the suit exceeds Rs.5,000 in which case the appeal lies to the High Court. The Dt. Judge can also try small cause suits if invested with such powers by the High Court.

Sub Judges are appointed by promotion by the High Court under the Government of India Act. The jurisdiction of a Sub-Judge like that of the District Judge extends subject to the rules contained in the Code of Civil Procedure, to all original suits and proceedings of a civil nature.

Sub Judges are appointed to act as Asst. Sessions Judges also and try such cases are are transferred to them by the Session Judge of each division.

Sub Judges stationed at headquarters of districts have no appellate jurisdiction but appeals from decrees and orders of Dt. Munsifs preferred in the dt. court may be transferred by the Dt. Judge to the file of the sub judge for disposal. Other sub judges courts generally exercise appelate jurisidiction, and appeals from the decrees and orders of Dt. Munsifs within the local limits of the jurisdiction of such sub judges lie directly to their courts.

All sub judges are empowered to try small cause suits upto the value of Rs.1,000/- unless such small cause jurisdiction has been expressly withdrawn or modified by the High Court. No appeal is allowed from the decision in a small cause suit, but the decision is subject to revision by the High Court on a question of law.

3. Dt. Munsifs: Dt.Munsifs are appointed by H.E the Governor under the Govt. of India Act. The ordinary jurisdiction of the Dt. Munsif extends upto Rs.3000/- All Dt. Munsifs are invested with powers to try small cause suits upt to Rs.300/- No appeal lies from the decision of a Dt. Munsif in a small cause suit, but the decision is subject to revision by the High Court on a question of law. In the case of an ordinary suit an appeal lies to the Dt. Court, unless the High Court; with the previous sanction of the Provl. Govt. directs that it shall lie to a Sub Judge's Court.

Village Munsifs can try suits when the value of the claim does not exceed Rs.50 or with the written consent of the parties Rs.200.

Village Panchayat Courts are established for any village, group of villages or part of a village. On the establishment of such a court in any locality, the village munsif ceases to exercise civil jurisdiction over that area. The Panchayat court can try suits when the value of the claim does not exceed Rs.50/- or with the written consent of both parties Rs.200/-

The Dt.Munsif may transfer suits from one Panchayat Court to another or to and from his own file. He can also set aside the order of a Panchayat Court on grounds of corruption or want of jurisdiction or gross injustice but whenever he does so he should report the fact to the Dt. Judge.

The civil jurisdiction of a village Panchayat Court is the same as that of the Village Munsif. The procedure of the court is summary and though a party may be represented by a friend, no legal practitioner is permitted to appear before the court. The court is elected according to rules prescribed by the Govt. by all adult males resident in the village or group of villages. The no. of members is from 5 to 12. The collector is empowered to appoint, in his discretion, not more than two members, from minority communities, not already represented in the Court. Each member holds office for three years. At present the election takes place under the supervision of the Deputy Tahsildar or Tahilsdar and is by a show of hands at a general assembly of the villagers. Objections to an election are disposed of by the R.D.O. The court elects its own President and vice President. The Collector has power to suspend or remove the President or Vice President or a member of the court for incapacity, misconduct or other just and sufficient cause and must do so if required by the Dt. Judge for such cause. An appeal against such a punitory order lies to the Board of Revenue, or if the punishment is at the instance of the Dt. Judge to the High Court.

LAW OFFICERS AND OTHER MISCELLANEOUS COSTS.

I (a) Law Officers in the City:

The Principal Law officers in the city are:

(i) Advocate General

(ii) Government Pleader

(iii) Public Prosecutor.

(iv) Crown Prosecutor.

(v) Government Soliciter.

Item (i) above Advocate General:

The main duties of the Advocate General are to conduct and efend in the High Court all civil suits and proceedings on behalf of the Government on the Original Side and all appeals filed against decrees or orders in such cases, and in the City Civil Court to conduct and defend all suits and proceedings in which the Government are a party. He also appears and conducts sessions cases of importance which may be specially entrusted to him by the Government. He appears in the Federal Court in cases to which the Government are a party, to appear in cases of special importance in the High Court in land acquisition cases in which Government are directly concerned and to transact Government business of all kinds and in all departments whether such departments are under the Central or any of the Provincial Governments. His salary is Rs.1,500/-p.m. In civil suits and proceedings in the City in which he is instructed to appear for Government he is allowed fees not exceeding the amount allowable on party and party taxation and these are marked by the Government Solicitor in each case. In other cases, fees are fixed by H.E. the Governor.

Item (ii) above - Government Pleader.

The Government Pleader, Madras is regarded as the Assistant to the Advocate General, especially for mufassal business and in cases of difficulty may apply to that officer for advice. His duties inter alia are to conduct and defend civil appeals or other proceedings on the Appellate Side of the High Court in which Government are concerned, to appear in all suits and appeals instituted in the High Court, the city Civil Court or the Presidency Court of Small Causes, Madras by or against members of Police force in their official capacity and to conduct before the High Court appeals against the decrees or the City Civil Court and against awards of the Chief Judge of the Court of Small Causes in land acquisition cases, where Government are concerned. He is paid a salary of Rs.300/- per mensem. Besides in civil suits or proceedings he is entitled to the regulation fee or to a minimum fee of Rs.30/- for each case, if the regulation fee falls below that sum. The Government grant special fees in exceptionally difficult cases.

Item (iii) on page 17 above - Public Prosecutor:-

The Public Prosecutor, Madras is appointed for the Presidency of Madras outside the limits of the City of Madras. He is regarded as the Assistant to the Advocate General especially for mufassal business and in cases of difficulty he may apply to that officer for advice. His main duties are to appear for the Crown in the High Court in cases of confirmation of a capital sentence passed by Sessions Courts in the mufassal to appear in support of convict on when directed to do so by the Government. or by the D.M. or when the High Court desire to hear counsel for the prosecution and to present appeals

or revision petitions against orders ofacquittal or conviction or discharge when directed to do so by the Government. When specially deputed by the Government he appears for the Crown in criminal cases in the mufassal. The salary of the Public Prosecutor is Rs.400/- per mensem. He is allowed a fee of Rs.30/ for appearance before the High Court in each criminal case. When directed to appear on behalf of Government in mufassal courts, he is paid a fee of Rs.175 per diem for the period of his necessary absence from Madras in addition to travelling allowance.

Item (iv) - Crown Prosecutor.

The Crown Prosecutor is the Public Prosecutor for the Town of Madras. He is regarded as an Assistant to the Advocate General in all criminal matters or cases arising in the Madras City and in cases of difficulty he may apply to that officer for advice. His main duties are to conduct the prosecution in all cases before the Presidency Magistrates in which the prosecution is instituted or carried on by, or under the orders with the sanction of the Government. He conducts the prosecution in all cases committed for trial at the Sessions of the High Court. He also presents appeals in the High Court from orders of Presidency Magistrates directing the acquittal and also appears before the High Court in support of convictions by the Presidency Magistrate. His salary is Rs.400 /- per mensem. He is allowed Rs.30/- for appeal every appeal in which he appears before the High Court in support of conviction against an acquittal.

Item (v) Government Solicitor;

The Govt. Solicitor, Madras as the standing solicitor of the Govt. the Advocate General, and the Government Pleader being the standing Counsel and he is bound to undertake all the duties of Solicitor to client. His chief duties are to advise the Govt. and heads of departments in matters on which the opinion of the Advocate General is not required, to act as channel of communication between the Advocate General and Government to instruct the Advocate General in suits and appeals before the High Court in which he is required to appear on behalf of the Government and to conduct and defend suits in the City Civil Court and in the Court of Small Causes, Madras. The salary of the Government Solicitor is Rs.1,000 per mensem. He pays his establishment out of this sum. He is also entitled to charge fees for professional work in briefing counsel, attendance in court or chambers and such other duties of solicitors to client at the rates fixed by the Govt.

(b) Law Officers in the mufassal:-

(i) Government Pleaders

(ii) Public Prosecutors and Additional Public Prosecutors.

Item (i) above Government Pleaders:-

There are Govt. Pleaders for each Sessions Division. Appointments are made by the Govt. on the nomination of the Collector in consultation with the Dt. Judge and are for a term of three years. His main duties are to advise the Government and their officers whenever required to, conduct all the miscellaneous legal business of the State, to receive processes as Agent of the Government in civil against the Crown and to appear for Government in all civil cases whether in the District Court or in the lower courts.

Item (ii) above: Public Prosecutors and Addl Public Prosecutors
A Public Prosecutor is usually appointed for each Sessions Division, under sec 492 of the Code of Criminal Procedure. An additional Public Prosecutor is appointed either for a whole district or in respect of cases coming before the court of an addl. Assistant Sessions Judge. Appointments of Public Prosecutors and Addl. Public Prosecutors are made by the Govt. on the nomination of the Dt. Magistrate in consultation with the Session Judge.

They are normally appointed for a term of 3 years. The duties of the Public Prosecutor are to conduct the prosecution before the Court of Sessions and in other cases of such importance as to require professional aid.

Public Prosecutors are now allowed a mixmum daily fee of Rs.35/- for a case occupying three hours or more in Court on a day and Rs.15/- for a case occuping less than three hours. When they are engaged in more than one case on the same day, the maximum fee for the whole day is Rs.50/- For work in outlying areas, they are allowed Rs.50/- per day.

Government Pleaders and Public Prosecutors are paid monthly retainer as follows:-

Where the posts of Government Pleaders and Public Prosecutors are bifurcated, a retainer of Rs.1,000/- p.a. is paid to Public Prosecutors and a retainer of Rs.75/- p.m. is paid to Govt. Pleaders; and where the posts are combined the incumbet of the combined post is paid Rs.100/- p.m. (the retainer for Vizagapatam Agency remaining the same).

Public Prosecutors in the mufassal and the Addl. Public Prosecutor of the Addl. Sessions Judge's Court, Coimbatore and the Public Prosecutor in the Vizagapatam Agency are paid every month a minimum fee at the rates fixed by the Govt. This was sanctioned in 1942 as an experimental measure for a period of two years and it is being continued. The minimum monthly fee was sanctioned mainly to attract competent persons of sufficient standing at the Bar to the posts of P.Ps and to secure the incumbents of the posts of an assured income so that they might strive to justify their appointments. The sanction for the continuance of the system expired on 1-4-1948. The question whether the rates require any revision in view of the enchanced rates of fees to Public Prosecutors and Addl. Public Prosecutors is under separate consideration.

(c) Assistant Public Prosecutors and Asst. Crown Prosecutors:- Besides the above law officers, there are Asst. Public Prosecutors and Assistant Crown Prosecutors. Asst. Public Prosecutors conduct the prosecution of cases on behalf of Govt. in Magistrates Courts in the mufassal. They are of two grades, I Grade and II Grade. The A.P.P.Gr.I is responsible under the D.M. for the conduct of the prosecution work of the A.P.Ps. in the district. A.P.Ps G.II are subordinate o him ans work under his supervision, control and direction. As the District Supdt. of Police is immediately responsible to the D.M. for the preparation and prosecution of Police cases, the A.P.Ps Gr. I ordinarily works under the D.S.P's direction.

Assistant Crown Prosecutors conduct prosecution work, in Presidency Magistrates Courts in Madras City. There are Chief, Senir and Junior Asst. Crown Prosecutors. In addition to conducting the prosecution in criminalcases in Presidency Magistrates' Courts, A.C.Ps act as Legal Advisers to the Commr. of Police.

II. Official Assignee and Official Receivers:- The Official Assignee, High Court, Madras, is appointed by the Chief Justice, High Court, Madras. He has got a deputy and an establishment. His duties have relation to the conduct of the insolvent as well as to the administration of his estate. He is also the Official Receiver in the city.

In the mufassal, Official Receivers are of two grade and are appointed by the Govt. They have been appointed as Official Liquidators under the Indian Companies Act also and the two posts are held by a single officer in each district They realise the property of the debtor and distribute dividends among the creditors entitled thereto with all convenient speed.

III. Administrator General and Official Trustee:- In this Province, the posts of the Administrator General and Official Trustee have been combined and held by a single officer, k known as Administrator General and Official Trustee, Madras. He is an official appointed by the Govt. under the Administrator General's Act, 1913, to carry out the provisions of the law relating to the successions of persons who die leaving property within the limits of the Presidency of Madras. His jurisdiction covers the Presidency of Madras He draws salary in the scale of Rs.900--1,200. There is also a Deputy Administrator General and Official Trustee, Madras in the scale of Rs.270-410.

The Official Trustee is a public official appointed by Govt. under the official Trustee's Act, 1913. The post is constituted partly to provide a safe and efficient agency whereby trusts may be carried out and partly to relieve private persons from the duty of looking after and administering trust property.

HOME DEPARTMENT

Honorary Magistrates:-

The honorary system was first introduced in this country in 1861 when the office of Special Magistrate was first created by the Code of Criminal Procedure of that year. In 1909, the report of the Royal Commission on Decentralization recommended that the system of appointing non official gentlemen of position and influence to deal with criminal cases which would otherwise go before the stipendiary magistrates should be extended as far as possible and this recommendation was adopted by the Govt. in December of that year. Since then the voluntary system has spread. Under section 14 of the Code of Criminal Procedure special magistrates of the first, second and third classes are appointed in any local area outside the city and under section 18 of the Cr. P. C. Honorary Presidency Magistrates are appointed in the City.

2. Special Magistrates can, if so authorised, sit singly in the exercise of the powers conferred on them, but recruited as they generally are from persons, though of education and social standing, yet lacking in legal training and judicial and forensic experienced, it is more conducive to their utility and adds to the value of their decisions to associate with them in their deliberations collegues possessing these advantages. Hence, though special magistrates can be and have been appointed to sit singly, their services are more largely requisitioned for the formation of Benches of them. With the interposition of a salaried magistrate or one of the members specially designated by the District Magistrate to preside over the Benches so constitued and to act as Chairman, These Benches are generally invested with powers (under section 260 and 261 of the Code of Criminal Procedure) to hold summary trials. They are competant also to hold trials of summons and warrant cases in accordance with the procedure laid down in chapters IX and XXI of the Cr. P.C. when invested with such powers. Special Magistrates whether acting singly or sitting as Benches are in practice generally investe with restricted powers and only try offences.

Honorary Magistrates are also appointed to try solely offences under the Indian Railways Act. Women have also are appointed as Honorary Magistrates) There are 220 Benches of Magistrates in this Presidency.

3. There is no qualification prescribed for special Magistrates. The code of Criminal Procedure permits of the appointment of any person as Special Magistrate, but it is well recognised that such person to discharge the duties of the office conferred on him in an efficiant manner should be a man of education and social standing who may be expected to bring intelligence and wordly knowledge to bear in the discharge of his duties.

4. In the mufassal a selection committee consisting of the Sub Divisional Magistrates, the Asst. or Deputy Superintendent of Police, or in areas under his direct charge, the S.S. P. and one member of the Legislative Assembly or Council nominated by the Government prepares a list of persons suitable for appointment as Honorary Magistrates xx the S.D.M submits the list xx to the D.M. with his own remarks and the D.M. recommends to Govt. One or more persons whom he considers suitable from the list The D.M. is at liberty to recommend any persons who do not appear in the list but are within his own knowledge suitable. In the City, the selection committee consists of the Collector of Madras, the C.P.M. the Commissioner of Police, the Mayor of Madras and one member of the Legislative Assembly and one member of the Legislative Council nominated by the Govt. Honorary Magistrates are normally appointed for 2 years at a time.

5. Honorary Magistrates afford considerable relief to stipendiary magistrates. Honorary Magistrates and Bench courts are scattered throughout the province and help to relieve congestion in the regular courts. They are particularly helpful in those places where there is far more work than one salaried man can manage but not enough to justify the employment of two men. A Committee was appointed in this Province in 1946 to consider possible shhemes for the separation of the judiciary from the executive. The Committee has examined the system of appointment of Honorary Magistrates also and in the opinion of the Committee if the system were scrapped at once, the burden of the Public exchequer would be increased. The Committee was also of the opinion that the quality of the work turned out by Bench Courts and Honorary Magistrates can be materially improved if more trouble and care is taken in the selection of personnel. The Committee has recommended that the slection committees should re-constitued. It is of the view that Benches should not be invested with first class powers. For such work they prefer special Honorary Magistrates who should be persons carefully chosen from out of retired Gazetted Officers preferably with legal training. The report of the Committee is under consideration and no decision has yet been arrived at by the Govt.

Home Department.

JAIL DEPARTMENT.

This Dept. deals with the organisation, control and management of prisons including Borstal Schools.

Classification of Jails.

The Jails in this Province fall under three categories:

(1) Central Jails,
(2) Special jails (Mental Jail. Cuddalore & P.J.W Vellore), and
(3) Sub Jails.

Generally prisoners sentenced to imprisonment for periods in excess of one month and prisoners sentenced to transportation for life are confined in Central Jails. Prisoners sentenced to imprisonment for periods less than one month and undertrial prisoners are confined in sub jails. Adult prisoners are segregated from addlescents, male convicts from female convicts and habituals from casuals. There are separate jails for habituals (Central Jails at Salem and Vizagapatam) and for casuals, a special jail for women (Presidency jail for Women, Vellore), a Bostral School (at Palamcottah) for adolescents, and a Mental Jail at Cuddalore (Special institution for the detention of criminal lunatics and Mental defectives) Annexes are set apart in the Central Jails at Salem and Tiruchirapalli for the special care of prisoners suffering from leprosy. There was also a separate Sanatorium Jail for prisoners suffering from tuberculosis. This is now under the medical dept. from last June and prisoners are transferred from the various jails to this Sanatorium for special treatment.

2. The Inspector General of Prisons is the head of the Jail Dept. He controls the expenditure of the Dept prepares the annual budget estimates of the charges and receipts and audits and transmits to the A.G. all bills for jail expenditure. He is the channel of communication between the Govt and all officers of the Jail Dept. He can authorise petty construction and repairs to buildings; purchase stores, livestock, stationery articles, sports material etc., required for jails and the Borstal School. ~~is empowered~~ He is empowered to authorise contracts necessary for the due and economical administration of the jails under his control and to institute civil suits either against defaulting contractors or for money due to the manufacturing department of any jail. He visits every Central Jail at least twice in every calendar year and during one such visit carried out a full inspection of the jail and sends a detailed report on every aspet of the jail administration in the form of a questionnaire prescribed for the purpose. He prepares a report on jail administration annually. The Central Jails, the Special Jails, the Borstal School, Palamcottah and three sub jails out of the 300 sub jails which are called special sub jails are directly under the control of the I.G. of Prisons. The sub jails are under the control of the Dt. Magistrates but the I.G is the channel of communication in respect of sub jails also.

3 Officers in Jails.

For every Central Jail a Supdt. is appointed. He manages the prison in all matters relating to discipline, labour, expenditure and general control subject to the orders of the Inspector General of Prisons. The Jailor is the Chief

executive officer of the jail and is immediately subordinate to the Superintendent. He is responsible for the observance of all prescribed rules and orders for the supervision of the subordinate staff, and is assisted by the Dy. Jailor who is his immediate subordinate. Other subordinate offivers are Reserve Deputy Jailors, Gatekeepers, Chief Head warders, Reserve Head warders, Ist grade warders, second grade warders etc., The Chief Headwarder is, subject to the general control of the Jailor, the head of the warder establishment and responsible for the carryingout of all rules relating to the guarding of the jail. The Reserve Head warder has charge of the arms, ammunition, equipment etc., of the warder establishment and supervises the drill and practice in musketry of the warder and their and their attendance at the various posts. The Gate Keeper is of the rank of Chief Head Warder and is on duty at the main gate. He is under the general control of the jailor.

In the case of sub jails, the Superintendent is the local sub magistrate except in the case of the three special sub jails under the direct control of the I.G. where the Supdt. is the local Civil Asst. Surgeon. In a few big sub jails there is a jailor and regular warder staff. In others the sub magistrate who is the Supdt manages the sub jail with the help of peons from the Taluk Office establishment.

Apart from the executive staff mentioned above, there are clerks who look after correspondence and maintenance of registers and storekeepers who main the manufacture and ration stores and the accounts relating to them besides a manufactory staff of foreman and Instructors in various trades who look after the industries in jail and instruct the prisoners the prisoners in the various trades.

Each Central and special jail has also got a separate medical staff. Usually the D.M.O. of the station is the Medical Officer of the Jail. (In the case of jails at Vellore and Bellary separate whole time medical officers have been sanctioned.) These medical officers are assisted by Sub Assistant Surgeons and compounders.

In the sub jails there is no separate medical officer as there is not enough work to engage one. The medical work is attended to by the medical officer of a near by Govt. or local fund dispensary or a rural medical practitioner.

The chart attached shows the general administrative hierarchy of the Jail Dept in the province.

4. Life Inside Prisons.

The policy underlying the prison administration of this Govt is to reform the convicts so that when they are released from the jails they may become good citizens and lead a peaceful and industrious life.

Some of the main features of life inside the prisons are as follows:-

1. Prison labour and Inustries:-

The main object of prison labour is the reformation of the prisoners and hence purposeless and non productive forms of labour are avoided and all jail labour is divided into three main classes Viz hard, meddum and light. The prisoner is allotted the appropriate class of labour on the advice of the medical officer. Prisoners are taught industries like carpentry, tailoring, weaving, dyeing,

building, smithy leather work, book binding and paper-making which would be useful to them after their release. As far as possible prisoners are given work corresponding to what they had been doing outside the jail. A member not exceeding 10 per cent of them are however employed as prison servants (i.e. cooks, barbers, water carriers and scavengers). The female prisoners in the Penitentiary are given cholam or ragi to grind Educated female prisoners are given stitching work. Jail labour is also hired out for the Cinchona Dept. from the C.J. Coimbatore and for the Govt. Press from the penitentiary in Madras. It was ordered in August 1947 that jail labour should be hired out for Govt. works with proper escort and guard and that the Public Works and other Departments should be asked to employ jail labour to the greatest possible extent. It has also been ordered that small industries like hand made paper making of covers and envelopes, coir-making etc should be started in jails where there are short term prisoners. If a prisoner wants change of labour it is always open to him to make a representation to the Supdt The prisoners are allowed gratuity as an inducement for excess out turn of work

Education of Convicts.

Educational facilities are provided in jails for such convicted prisoners as are capable of being benefited by them. There is an elementary school in each Central Jail with qualified teachers. Every jail is equipped with a library. There are over 13,000 books in the jail libraries. Periodicals in the regional languages of the province are also supplied. Lights for reading are allowed till 9-30 P.M. to simple imprisonment prisoners and to such other educated prisoners as a considered by the Supdt fit to receive this concession. A proposal to supply daily newspapers in the regional languages is also under consideration. About 70% of the prisoners who go out from jails are literate while only 30% of them are literate on admission to jails.

Remission: Remissions of sentence are granted for good conduct and diligence, the days gained being liable forfeiture for prison offences. A diligent and well behaved convict may ordinarly earn four days remission in a month. Selected convicts are also employed as convict warders the prospect of promotion to these posts being a strong inducement to good behaviour.

Religious and Moral Lectures

Religious and moral lectures are allowed to all convicts on condition that no proselytizing is carried on under the cloak of moral and religious instruction and that the lecturers confine their attention to prisoners of their own faith.

Food

The prisoners are given food in accordance with the scale prescribed for each class of prisoners - Vegetarian or non Vegeterian labouring or non labouring, convicted or under trail. The Govt. have revised from time to time the ration issued to prisoners so as to be in accord with that issued to the civil population. In many jails all the requirements of vegetables are raised in the jail itself without resorting to outside supply. Dairies are also maintained in some of the jails.

Medical and Sanitary arrangements.

The Good medical and sanitary arrangements are available in jails. There is a hospital attached to every Central jail and special jail. Every jail has a medical officer with Sub Asst. Surgeons and compounder to assist him. Prisoners requiring special treatment are sent to Dt. headquarters hospitals: Those suffering from tuberculosis are sent to the Wellesley Sanatorium Bellary and the mentally affected to the Mental Jail, Cuddalore. Prisoners suffering from Leprosy are sent to the annexures in the C.Js Trichy and Salem set apart for the purpose.

Classification and Privileges:-

Ordinary prisoners are now divided into two classes namely, class I and Class III according to social standing and mode of life. Political prisoners i.e. prisoners belonging to a movement which may be declared by Govt "Political" are classified into one separate class viz special class. The privileges of Class I prisoners correspond to those of the previous B class prisoners while class II prisoners correspond to the previous C class prisoners. The following concessions are allowed to class I and class II prisoners.

(a) Diet:-

Class I prisoners are supplied with diet on the same scale allowed to the previous B class prisoners. They are allowed to buy fruits and supplement their food with articles which have food value such as biscuits, cocoa and ovaltine at their own cost. Class II prisoners are allowed the diet supplied to the previous C class prisoners.

(b) Clothing and bedding:-

Class I prisoners are permitted to use their own bedding and are allowed to have their own dress except while working in factories. Class II prisoners are supplied with jail clothing which consists of a short jacket, short breeches cap and lungotie in the case of a male prisoner and a cloth of eight yards in length and 42 inches in width and a ravikai in the case of women prisoners. Muhamadan and christian prisoners have the option of wearing a petticoat and an upper cloth.

(c) Toilet:-

Class I prisoners are allowed the use of soap, hair oil and unction oil at their own cost. This privilege is extended to such of the class II prisoners as have by their conduct and behaviour in jails proved themselves deserving of this amenity. The question of supplying unction oil and 'Boonthikai' or Illupa Punnaku' to all prisoners at Govt cost is separately under consideration.

(d) Interviews and letters.

Class II prisoners are allowed interviews once a fortnight and two letters a month, instead of one letter and one interview once in two months previously allowed to C class prisoners. Class I prisoners are allowed interviews once in a fortnight and to receive and write letters once in a week

(e) Newspapers and periodicals.

Class I prisoners are allowed to purchase newspapers and periodicals at their own cost and are allowed to bring books from outside the jail on condition that the newspapers etc are censored at the gate.

The special class prisoners consist of prisoners who are convicted of an offence in connection with any movement declared to be a political movement by the Govt. so long as such declaration is in force. No movement has so far been declared to be a political movement.

The special class prisoners are allowed the following concessions:-

(a) Diet

In the matter of food they will have the same privileges as those allowed to class I prisoners and they will be permitted to supplement their food at their own cost upto a limit of Rs.15/- a month.

(b) Dress

They will be allowed to wear their own clothes and prisoners unable to secure their own clothing are to be provided with the clothing allowed to class I prisoners.

(c) Newspapers and periodicals.

They are to be allowed the facilities enjoyed by Class I prisoners in regard to newspapers, library and books with the addl. privilege of having 12 books at a time against 6 books allowed to class I prisoners.

(d) Toilet:-

(d) They will be given at Govt. cost oil for bathing cocoanut oil for toilet, soap for washing clothes and for toilet, tooth paste and brush.

(e) Furniture

They are to have at Govt cost an easy canvas chair a chair. a cot and a mattress.

(F) Games

They will be allowed to have walks inside the jail morning and evening and will be provided with materials for playing badminton, tennis and fotball at Govt. cost.

5. Jail visitors:-

In addition to ex-officio visitors who are appointed from the Magisterial, Judicial, Medical, Health and Industries Depts. prominent members of the public are also appointed as non-official visitors for each jail. The non official visitors are usually those who are members of the D.P.A Society and have evinced some interest in the welfare of prisoners. Members of the Legislature are also appointed as special visitors to the jails. It is the duty of the visitor to satisfy himself that the law and rules regulating the management of prisoners and prisons are duly carried out in jails, to visit all parts of the jails to see all prisoners and to hear and enquire into any complaint that any prisoner may make to him.

After care of prisoners

A Discharged Prisoners Aid Society has been established in Madras for the after care of discharged prisoners, and branch societies exist in the districts in which which important jails are located. The Hony. Secy. and the Agent of the Society has free access to all prisoners whose sentences are about to expire with a view to decide the assistance, if any, required in each case. Out of 49,143 prisoners and inmates discharged during the year 1946, 2999 were helped and in 1,017 cases probation officers were appointed. The Govt. give an annual grant of Rs.5,000 per annum to the society.

7. Borstal Schools.

The administration of a borstal school is different from that of jails. The school is intended for adolescent offenders between 16 to 21 years of age who are found to have criminal tendencies and as the name denotes it is run on the lines of a school rather than on those of a prison. The education in the school consists of the ordinary school curriculam upto the VII standard. Industries and physical training, training in scout craft, ambulance work, first aid, religious and moral instruction form an integral part of the training given. The chief industries taught in the school are weaving, tailoring, carpentry, blacksmithing, masonry book binding, agriculture, hand made paper making and band. The boys are selected for the various industries according to their aptitude so that after discharge they may follow the profession taught in the school. The minimum period of detention in the school is two years and the maximum five years. An inmate cannot be detained after he attains the age of 23.

8. There are a few other noteworthy features and experiments that are being undertaken in the Jails of this Province. Experiments for the manufacture of Phenyle and Ink are being carried on in the Penitentiary Madras and Central Jail, Coimbatore. The hand made paper industry is also being tried in several jails of the Province. There is a proposal to introduce an earning scheme for prisoners by which the prisoner will get full wages for any extra work that he may turn out over and above the normal task fel allowed to him for a day. The Govt. have also a scheme to make jails self sufficient in the matter of dairy products and the Govt have sanctioned the purchase of animals of Sindhi and Ongole breeds to improve the jail dairies. A proposal to release prisoners on parole at regular intervals is also under consideration.

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Hon'ble Minister
in charge of Prisons.

Secry Home Department.

Dy. Secry. Home Dept

I.G. of Prisons.

A.I.G. Prisons.

Special Jails

Mental Jail Cuddalore

Superintendent Medically Qualified

Dy. Overseer

Attendants I G

Attendants II G

Presy Jail for Women, Vellore

Superintendent Part Time

Asst. Matron Supdt.

Res. Asst. Matron Supdt.

Female Warder I Gr

Female Warder II Grade

Central Jails

Superintendent

Jailor

Dy. Jailor

Reserve Dy. Jailor

Chief & Reserve

Head Warders & Gate Keeper

Warder I Gr

Warder II Grade

Borstal School

Superintendent

Chief Officer

Asst. Chief Officer

Spl. Petty Officer I Gr.

Spl Petty Officer II Gr.

Petty Officer I Gr.

Petty Officer II Gr.

N.B

In addition to the executive staff shown above each Supdt. of Jails has medical, inisterial and manufactory staff also to assist him in running the Jail. They are almost the same in all jails whether Central or Special or the Borstal school and the chart below shows how they work under the Supdt.

Superintendent.

Ministerial

Head Clerk

L.D. Clerk

Typist

Attenders

Store Keeper

L.D. Clerks

Executive

shown in chart above

Medical

Medical Officer D.M.O.

Sub Asst. Surgeon

Compounder

Manufactory

Foremen

teachers and Instructors

HOME (G) DEPARTMENT.

CRIMINAL TRIBES RECLAMATION & SETTLEMENTS.

Introductory:- Criminal tribes in this Province were controlled by the C.T.Act, 1924 which provided for restrictions being imposed on the movements of members of criminal tribes both individually and collectively. This Act is a Central Act and this was amended by two Madras Acts in 1943 and in 1945. The object of the amendments was mainly to liberalise the penal provisions of the original Act. In 1943, the Madras Restriction of Habitual Offenders Act was passed to provide for the application of the provisions of the C.T. Act 1924 to individual habitual offenders who may or may not be members of the so called criminal tribes. All these Acts have been repealed with effect from 29-4-48 by the Madras Restriction of Habitual Offenders Act, 1948, which came into force that day. This new Act is essentially a reproduction of the Madras Restriction of Habitual Offenders Act, 1943, eliminating all provisions which are considered objectionable and including in it the restrictive provisions of the C.T. Act. The C.T. settlements established under the C.T.Act and the work so far done for the reclamation of criminal tribes are continued under the new Act. Two of these settlements have been abolished.

2. A chart showing the organisation of the Criminal Tribes Reclamation Dept with the details of staff is at flag The D.I.G of Police C.I.D. Railways is in charge of the C.T. reclamation work subject to the control of the I.G.of Police.

3. Reclamation Centres.

The reclamation work of the Kallars in the Madras and Ramnad dts field of education and consists of (1) the maintenance of schools, (2) the prdvision of scholarships, stipends, boarding grants and grants for the supply of books and clothing (3) maintenance of boarding homes and (4) the encouragement of scouting activities. The reclamation work in the other fields consists of (1) the grant of agricultural loans to Kallars under the Land Improvement Loans Act and the Agriculturists Loans Act, (2) formation and maintenance of Kallar Cooperative Societies, (3) grant of short term and long-term loans through the cooperative societies, (4) the formation of Kallar Panchayats and (5) the running of a common Fund for Kallars.

Reclamation of Koravas is undertaken in Ramnad and Salem Dts. In the former Dt. the work consists of awarding boarding grants to Korava pupils and in the latter maintenance of two Korava schools, the award of boarding grants to Korava pupils and the grant of financial help to the London Mission for the management of a Korava boarding home and for the maintenance of an agrl. farm.

Yenadi and Sugali reclamation work is carried on in Chittoor, Kurnool and Anantapur Dts. In Chittoor Dt, colonies of Yenadis called Palems are formed and amenties and ameliorative measures to enable them to settle down in the colonies are provided. Sugali reclamation work in all the three districts consists of the maintenance of schools where Sugali children are supplied with free mid day meals books and clothing.

A boarding home at Konnur in Chingleput Dt. is maintained to cater to the needs of about 50 boarders of the notified tribes. The home is under the control of the D.M. Chingleput, The boarders are also given free clothing, books and stationery.

The Govt. have allotted a sum of Rs.6,000 for giving boarding grants and grants for the purchase of books and clothing to deserving notified tribe pupils studying in the various schools and colleges in the province.

4. Settlements.

There are 4 criminal tribes settlements in the Province; three are managed by the Govt and one by the Salvation Army. The names of the criminal tribes settlements and the particulars relating to each settlement are given in the statement below

The settlement at Bitragunta is a reformatory settlement, where only the "incorrigibles" from the other ordinary settlements are interned. The settlement at Chintaladevi was formed in 1937 for the internment and reclamation of the Kanjar Bhats found in the province.

Statement showing particulars regarding the C.T. Settlements.

Settlement	Population			Total acreage of lands available	Total extent of land cultivated during 1947
	Men	Women	Children		
Aziznagar	323	328	533	1070 acres	460
Siddhapura	118	149	232	3159 (1300 acres reclaimed for cultivation)	597
Sitanagaram	180	182	19	213	213
Chintaladevi	111	95	187	762	290
Stuartpuram	653	647	925	2135	900
Bitragunta reformatory settlement	46	30	28	30	---

Agriculture is the main occupation in all the settlements. Industries like weaving, carpentry and sandal making have been introduced in Aziznagar. Stone quarrying is the main occupation of the settlers in Sitanagaram. A large number of the settlers of Stuartpuram are employed in the Indian Leaf Tobacco Co at Chirala near the settlement. Weaving handloom cloth is the main industry in the Sidhapuram settlement. In Chintaladevi, match making and weaving are the main industries.

5 Future of reclamation work. For the present, the Govt's intention is to carry on the reclamation work under the M.R.H.O Act 1948 on the same lines as under the C.T. Act . The Govt. have decided that the C.T. settlements should continue to be in charge of the Police Dept. and that all other items of work now done by the Police Dept for the reclamation of the so called criminals tribes should be transferred to the Labour. Department.

HOME DEPARTMENT

CERTIFIED SCHOOLS.

The Madras Children Act 1920 deals with the reformation or Juvenile delinquency and with the protection of children and young persons. Act deals with three classes of persons namely

(1) Children under 14 years.

(2) Young persons of 14 years or upwards and under 16 years.

(3) Youthful offenders who are persons under 16 years convicted of an offence punishable with transportation or imprisonment.

Certified schools have been established, Junior Certified Schools for the training of children and Senior Certified Schools for the training of youthful offenders. Children and young persons charged with offences are dealt within one or other of the following ways:-

(1) discharge after due admonition;

(2) Commital to custody of parent or guardian or adult relative on such parent guardian or relative executing a bond to be responsible for his good behaviour:

(3) Discharge or committal and placing under supervision of a person named by the Court.

(4) Committal to the custody of the suitable person, whether relative or not, who is willing to undertake the care of the offenders

(5) Committal to a Junior Certified School;

(6) Committal to a Senior Certified School:

(7) Whipping

(8) fining the offender

(9) fining the parent or guardian

(10) Ordering imprisonment of a young person between 14 years and 16 years of age where the court ~~certificates~~ certifies that he is of so unruly or so depraved a character that he is not a fit person to be sent to a Senior Certified School and that none of the other methods in which the case may be legally dealt with is suitable.

Children under 14 years who are found destitude and found wandering not having any home or settled place of abode or visible means of subsistence who are under the care of a parent or guardian who by reason of drunken habits, is unfit to have the care of the child etc are liable to be sent to the Junior Certified School. A young person of 14 or 15 years coming under the above description is liable to be committed to the care of a relative or other fit person. Uncontrollable children are sent to the Junior or Senior Certified Schools as the case may be on the application of the parent or guardian. The Court which makes an order for the detention of a youthful offender or child to suitable custody may order the parent or other person liable to maintain the child or young person to contribute towards his maintenance if able to do so.

Youthful offenders are sent to a Senior Certified Schools for ~~not less than~~ two and not more than five years but are not to be detained in any case beyond the 18th year. Children are sent to a Junior Certified Schools for such period as the Court considers proper for the teaching and training of the child but not in any case extending beyond the child's 16th year. The Govt. have established a Senior Certified school, and three Junior Certified Schools, all for boys. There are also private institutions certified as Girls Senior Certified Schools and Girls Junior Certified Schools. The Madras Children Aid Society has under its management a Senior Certified School for girls and a Junior Certified schools for girls. There is also a Remand Home for boys and a Remand Home for girls under the Society. The Society also runs a Boys Club and a Girls' Club where pupils discharged from the Certified Schools are allowed to remain till some employment can be found for them. The Society's finances are met by subscriptions from members, donations from the public and by Government grants. The Madras Society for the Protection of Children another prigate body, has under its management a Junior Certified School where boys and girls under 10 years of age are detained. A higher Elementary Grade Mission School at Vellore has also been certified as a Junior Certified School for girls. The Government pay grants towards the maintenance of the pupils detained in the private Certified Schools.

3. Education in the Certified School consists of the ordinary school curriculum upto the sixth standard in the Senior Certified School and the eighth standard in the Junior Certified School together with Industrial training Attention is also given to Scouting and Girl Guide work. The system of training is in general designed to provide a large measure of freedom with the object of inculcating self reliance, trust and confidence. Pupils in certified Schools may during the period of detention be released on licence under certain conditions.

4 At the end of 1946, there were 2553 boys and 232 girls in all the Certified Schools and the daily average number of pupils during 1946 was 2848. During 1946 the total expenditure incurred on the four Govt. Certified Schools was Rs.5,95,155/- The Govt. paid Rs.1,34,277 as grant to the private Certified Schools during the year.

5 Prior to 1947 the Certified Schools were under the management of the I.G of Prisons who was also the Chief Inspector of Certified Schools. In March 1947, the Govt. decided that institutions connected with the reformation of Juvenile delinquents should be separated from the Jail Department and placed under separate management. They accordingly created a separate department with a Chief Inspector of Certified schools. As a further step, the post of Adviser in Child Psychology was created. A retired I.M.S. Officer has been appointed to the post and it is proposed to utilise his services to the full in reorganizing the present methods of dealing with Juvenile delinquency through the Province. The Advisor in Child Psychology has prepared and submitted to Government a draft of a New Children Bill in consultation with the Chief Inspector of Certified Schools. The provisions in the draft Bill are stated to be designed to implement and bring into practice a radically new concept of the treatment care and training

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of delinquent, neglected or destitute children. The new Bill contemplates committal of pupils as wards of Govt. and their committal to Govt. Boarding Schools (which correspond to the existing certified schools) where they will receive systematic character training till they attain 21 years of age. The draft Bill also makes provision for the establishment of an after care organisation to look after the Govt wards who have completed the prescribed training in a Boarding school. There is also provision in the Bill to establish a Children's Home (with accommodation for 500) in each District Headquarters Town. These Homes will serve both as places of safety to which destitute children in need of care and protection may be sent and also as places where delinquent children may be detained pending disposal of their cases. These homes will serve as places where destitute children will be kept temporarily pending their rehabilitation either in private families or in private institutions through Social Service Agencies. The provisdons contained in the Bill are under Govt's consideration.

Government are aleo taking steps to enact legislation to prevent Juvenile smoking in the provice.

NOTE ON THE WORKING OF THE MADRAS PROBATION OF OFFENDERS ACT

The Madras Probation of Offenders Act, 1936 (Madras Act II of 1937) is in force in the City of Madras and 16 districts. Prior to April 1946, the Probation work in respect of delinquents dealt with under this Act and under the Madras Children Act was carried out by the Madras Presidency Discharged Prisoners' Aid Society and the Madras Children's Aid Society with the aid of Probation Officers who were paid salary and allowance from the the funds of the Societies and from the grants made to them by the Government. In April 1946, the Government provincialised the posts of Probation Officers and removed the supervision of probation work from these non-official bodies. Subject to the control and supervision of the Inspector General of Prisons, the Chief Probation Superintendent administers the work of probation throughout the Province. District Probation Officers have been appointed for the City and for the districts to which the Act has been extended.

Probation work is carried on under three different Acts, Viz

(1) The Madras Children Act,

(2) The Madras Borstal Schools Act, and

(3) The Madras Probation of Offenders Act.

Juvenile courts established under section 36(1) of the Madras Children Act are functioning at Madras, Vellore, Madura, Salem Coimbatore, Malabar and Trichinopoly. The probation work consists of enquiries into the dossier and Supervision of those dealt with by the Courts under the three special Acts, and also supervision of pupils released on licence or discharged after the expiry of their normal period of detention from the Borstal and Certified Schools. During the year 1946, District Probation Officers made 2,264 enquiries; and 2,687 persons were placed under their supervision. District Magistrates have been exhorted from time to tome to instruct the subordinate magistrates to make a liberal use of the provisdons in the Probation of Offenders Act. District Probation officers paid 12,674 visits to Probationers at their homes, workshop workspot or school, and drew up 5,984 progress reports.

HOME DEPARTMENT.

NATIONALISATION - MOTOR TRANSPORT.

The Transport Commissioner functions as the Head of the Nationalisation Department. He is ~~bei~~ assisted by a Deputy Transport Commissioner who is incharge of all the schemes relating to nationislation. There is a separate office for nationalisation under the immediate charge of an Assistant Secretary. On the accounts side the Transport Commr. is assisted by an Assistant Accounts Officer of the Accountant General's Office.

The policy of this Govt. on nationalisation of road transport was explained in the form of a dialogue in a broadcast delivered on 20th Agust 1947. H.M.(Pro), Mr. Sathe, (former Secretary, Central Road Traffic Board) and Mr. Anantharamakrishnan of Messrs. Simpson & co., participated in the broadcast. A copy of script prepared in that connection will be found at para 49-56 infra

In pursuance of the plans set out in the dialogue a beginning was made with passenger transport service in Madras City in October 1947. The scheme approved by the Government for nationalisation of the buses in Madras City provides for running ultimately a fleet of 300 ~~houses~~ buses. 40 buses will will be retained as spares for use in emergencies. In the interest of efficiency the fleet will be divided into 3 units of 100 each and a Depot established for each unit with its own bus sheds, office buildings, stores and facilities for daily servicing etc., The administration of the Bus Service will be in charge of a Transport Comm Officer assisted by three Deputy Transport Officers who will be in charge of the three depots. Apart from the depots there will also a regular workshop in which major repairs necessary for the Bus Service will be carried out. The workshop will be in the immediate charge of an Engineer who will work under the Transport Officer.

A coach buildings factory is being established at Chromepet for construction of bodies for the buses required for use in connection with the Govt. Scheme of nationalisation. The Scheme drawn up in this regard has not yet been finalised.

Draft schemes for taking over the Bus Services in that ghat routes between Madura and Kodaikanal and Coimbatore and Ootacamund and the town services of Madura and Coimbatore are under Govt. consideration.

RADIO TALK ON 20-8-1947

NATIONALISATION OF ROAD TRANSPORT.

Mr. Anantharamakrishnan: We have seen many reports in the daily press on the nationalisation of road transport in this Province. Government have also issued statements from time to time. But one does not seem to be able to get a clear picture of the Government's ideas on this subject. I am sure both the operators and the public will become an authoritiative and comprehensive statement from you on various points.

Mr. Daniel Thomas: The question of nationalisation came up for consideration as early as last september and since then a Special Cabinet Sub Committee has been at work to draw up a comprehensive plan. The subject covers diverse issues of great magnitude and it naturally took considerable time for decision. Government have reviewed the Cabinet Sub Committee's report and have decided upon the broad basis of the nationalisation plan.

Mr. A. What is the broad basis on which the Government have decided? Could we have an elucidation of the points?

Mr. Sathe: The first princple accepted by the Government is that Nationalisation is desirable in the public interests. The word 'Nationalisation' is used rather vaguely, but its implications would be clear as we proceed to the actual Scheme proposed for the whole province. Railways, as the backbone of the transport system of any country have been nationalised some years ago. The only other important mode of transport, apart from airways and water ways to some extent, is the road transport. In the interests of perfect co-ordination between these two it seems incumbent on the State to take up the management of this means transport as well.

Mr. A. Who will be the owners of the road transport system after nationalisation -- the Central Government, the Provincial Government or Public bodies.

Mr. Thomas: The ownership will be vested in a corporate body to be called the Provincial Road Transport Board.

The Madras Government who must have the controlling voice, will contribute 51% of the share capital and local bodies 20% The Railways will contribute 15% and the balance of 14% will be offered to the existing operators.

Mr. A: Is this not too small an allocation to the operator? After all, it was he that developed road transport over a long period of years and it is his business that is now to be taken away.

Mr. S: The Madras Government should have a controlling or dominant voice and this can be realised only by their taking up the majority of the shares. Government have the difficult task of distributing the remaining 49% among the three interests who are directly concerned. Road Transport cannot develop on healthy lines unless there is perfect co-ordination with the railways, who have therefore to be associated in the scheme and given representation commensurate with their importance. Local bodies are also interested in the transport facilities within their regions and as such they will have to be given some share. In fact in some provinces, Local bodies have taken up the whole financial interest, but here

here we have given them as much share as was possible without encroaching upon the other two interested parties, namely Railways and the existing operators. Thus it was not possible to allow the operators more than 14%.

Mr. A If the operators do not wish to take up the share alloted to them, who then. will be offered these shares?

Mr. T. The shares will be taken up by the Madras Government or distributed among the other parties.

Mr. A The operators in the Province are mostly individual owners, running a few buses each. Is it the intention of the Government to take over the operators' vehicles, or are the operators going to be allowed to operate their vehicles on other routes, which do not come under the nationalisation scheme?

Mr. Sathe: It is not proposed to force the operators to give their vehicles to the Government, but if they have vehicles surplus to their needs, it is always open to them to ask for permits on routes not covered by the nationalisation plan for the time being. The Transport Authorities would consider these applications along with the others who might apply for the same routes, and grant them according to the provisions of the Motor Vehicles Act.

Mr. A Would you not show some preference, in granting these new permits, to the operators who have already shown their initiative and also gained experience in road transport?

Mr. T. It is not possible to state categorically that such operators, whose routes are taken over by the State, would be granted permits on other routes. But they have the chance to apply and fight their battle along with others and essentially, the grant of permits depend on the merits of the operator. It is upto them to prove to the Transport Authorities that with their experience they will be able to run the services better than others who may also apply

Mr. A. What stages do you propose totake over the existing services?

Mr. S. It would be obviously impossible to take over all road transport service within a short time and hence a five year plan has been drawn up for nationalisation by stages. After a very careful consideration, Government have finally decided that the State should take over one fifth of the permits in each of the important districts in the first year commencing from April next.

Mr. A Apart from this plan for gradual nationalisation have you any priority schemes in view?

Mr. S. Transport services in the Madras City are which have come in for constant public criticism, will be taken over in October of this year or as soon thereafter as possible. Similarly the two Ghat routes, namely Madura to Kodaikanal and Coimbatore to Ooty as well as the town services in Madura and Coimbatore are to be taken over as soon aspossible before next April. There three items are being treated as separate units, apart from the five year plan which commences from the next financial year.

Mr. A How does the Government propose to spread over the five years the nationalisation of other services in the Province?

Mr. T. Various alternatives were possible. One of these was to take over a few districts in the first year, some more districts in the succeeding year, and so on, till the whole province was covered. Administratively, this would certainly be more convenient but the operators themselves represented to Government that if this system is followed starting from Madras, the districts away from Madras would be at an advantage over others. Thus, the operators in Madras and other districts like Chingleput etc would lose their business all by one stroke in the first year, whereas their counterparts in remote districts such as Vizag, Malabar would be left free to go on with their business for two, three or four years more. Hence the Government have decided to take over only 20% of the permits in each of the bigger districts in the first year and to continue the process year after year untill all the districts are taken over.

Mr.A. One is bound to ask as to how Government can cope even in the first year with the stupendous task of organising the transport service simultaneously in several districts. Is it not going to be very difficult for Government to tak over transport service in so many districts at the same time? Can you maintain efficient service if you start operations in all districts simultaneously?

Mr. S. There are about five thousand permits in the whole Province covering 25 districts, the average comes to about 200 permits per district. 20% of this would be about 40 and I reckon that an efficient fleet could be with 40 buses. In fact this would be a satisfactory economic unit. It may happen that in some districts there are only 80 buses in which case, the 20% quota is too low a figure. In such districts it is not proposed to take over the services in the first year, but commence the nationalisation in the second year, taking over 40% of the permits, thus giving the Government a good unit to operate upon!

Mr. A. Even a unit of 40 buses might prove uneconomical if it i spread over a large district.

Mr. S. In the districts taken over, it is proposed to concentra the activities of State Transport over a very compact area radaiting from the district headquarters. Thus, Governmen will operate a sufficient number of buses over a concentrated area, making it possible to run efficient service. Year by year this compact area would be expanded so that in five year's time, the whole district is covered, completing the whole scheme.

Mr.A: What about the thousands of men that are now employed by the operators in the transport service? Is it the intention of the Government to take over the services of these men?

Mr. T: Yes. The success of the State Transport depends essentiall on the availability of trained personnel. Such men are available only with the existing operators, and Government will endeavour to take over as many workers and employees as possible from their previous employers, as and when those particular services on which they are employed are taken over by the State.

Mr. A The Public, in recent years, have been clamouring for a better standard of comfort in road transport service. Are the Government going to bring in any new double decker buses, with better seats?

Mr. S: One of the primary objects of nationalisation is to provide better transport facilities, not only in numbers, but also in quality. It is hoped to provide better seats, better accommodation and more comfotable travel in every respect. It is also proposed to obtain a few of the latest buses from abroad, so that it will be possible for our local coach-builders to copy them at a later stage. It may not be possible to bbing in a sufficient number of such vehicles due to the existing import ban but the deficiency will be made up by the chassis available locally and construction of coaches on a standard plan. The main object will always be to make bus travel a real comfort. It is proposed to start Diesel buses in Madras but with a few buses on y in the first instance and increase the number after some experience has been gained. This will also relieve the petrol position to a certain extent. The feasibility of running double deckers in the city is also being examined.

Mr. A. At the same time bus travel is to be made cheaper too , I presume.

Mr. T: With the existing conditions of labour and availability of materials, it is doubtful if bus travel can be made cheaper than it is to-day. But if we can provide better services at existing rates. it would be sufficient reward for the plan.

Mr. A: The general impression in the public mind is that Government have never run any commercial enterprise successfully or efficiently. Is nationalised road transport going to be an exception to this rule?

Mr.T. Government is well aware of this public feeling. It is well known that owing to its inelastic nature, a Government department as such will not be able to cope with the demands made by a commercial undertaking of their nature. It is therefore proposed to set up a Road Transport Board which will be in entire charge of the administration. This Board will be comparable more or less to the Board of Directors in a Commercial firm There will be no Government interference in the working of this Board in its day-to-day administration and every care will be taken to see that Government 'red tape' does not impede the working of the transport service.

Mr. A: The success or failure of an organisation does not depend solely on the system but also on the men who work it.

Mr. S. The Board will consist of men who have experience of transport, and that not in the running of a few Government transport Vehicles, but in the management of large transport agencies. There would be as General Manager an expert on the general transport administration side, assisted by a qualified automobile engineer on the technical side and a person experienced in commercial audit on the financial side. With this nucleus of practical commercial experience and with complete powers over day to-day administration, it is proposed to eliminate the inherent defects associated with state management.

Mr. A : There will be hundreds of questions arising in each district which will have tobe decided quickly. How do you propose to provide for this?

Mr. S. The Provincial Board would lay down the general policy with regard to organisation of transport, maintenance of central workshops, purchase of standard vehicles, construction of coach work at a central depot, appointment of superior staff, stocking of spare parts and so on. The actual administration in the mofussil would be entrusted to the District Manager directly working under the General Manager assisted by a qualified engineer and an auditor. The district staff would responsible to run the vehicles efficiently and maintain the district workshops as well as operate the service throughout the district.

Mr. A: You have covered most of the points. What about labour? Labour has been clamouring for better terms of service. I presume they will get better terms when the road services are taken over.

Mr. T: Dealing with labour would be regulated by the usual procedure laid down under the Trade Union Act. Recently, Government have constituted a Court of Enquiry to advise them on the conditions of service of labour in transport undertakings and the position would be reviewed in the light of the recommendations made.

Mr. A: What are the arrangements you propose for taking over the vehicles from the operators and pay them compensation?

Mr. T. Government will work on the principle that they should not force any operator to give up his vehicles or equipment. Government also realise that as the State takes over the services the Vehicles previously running over those routes would no longer be of any use to those operators. A valuation Committee will therefore be set up in each district on which the operators will also be represented. This Committee will proceed to enumerate the vehciles, equipment and other property, which the operators are prepared to sell to the State Transport Service. Every item in the list would be valued by this Committee, generally on the principle of cost price minus depreciation. If the figures or cost price ~~minus~~ are not available, the current market price would be taken as the basis. Government would thus offer the owners what may be called a fair price.

Mr.A: Are you restricting ~~xxx~~ in any way the type of vehicles that you would purchase if offered?

Mr.S. Of course. For an organisation of this size, it would always be best to standardise on a few makes. But Govt. will realise that operators whose services are taken over, would find their vehicles redundant and thus a liability. In consideration of this fact, Government will normally purchase all vehicles so long as they are not more than four years old at the time of acquisition and are in a road worthy condition. As far as equipment and workshops are concerned, Government will offer to pay the valuation as determined by the Valucation Committee and it will be open to the operators to accept it or not.

Mr.A: Does this plan for nationalisation cover all public road transport.

Mr. T. The scheme of nationalisation as envisaged now covers only the passenger transport services and the five year ~~xxx~~ plan applies only to buses. Taxies are not included in this scheme. The principle of State management of goods transport has also been accepted but itis not proposed to initiate the scheme till the passenger service is completely nationalised.

TRANSPORT DEPARTMENT.

Organisation

The organisation of the Transport Department in this Province is as follows:-

(1) Central Road Traffic Board which is also the Provincial Transport Authority and

(2) The District Road Traffic Boards which are the Regional Transport Authorites.

2. Constitution.

The Constitution of Provincial Transport Authorities is as follows:-

A person appointed by the Provincial Government and if no such appointment has been made by the Provincial Govt a member of the Board of Revenue nominated by that Board

Members { The Chief Engineer for Communications (now Highways)
The I.G. of Police
The two nonofficial persons (one to represent the northern dists and the other to represent the southern districts)

The present constitution of the Regional Transport Authorities except the Regional Transport Authority Madras is as follows

District Magistrate (Chairman)
District Superintendent of Police
President District Boards.
Three Non Official persons (to be nominated by the Government) } Members

The above constitution of Road Traffic Authorities is temporary and the question of re-organisation of the Regional Transport authorities is under the consideration of the Government

The constitution of the Regional Transport Authority in the Madras City is as follows:-

The Commissioner of Police-(Chiarman)
The Collector of Madras.
The Commissioner of the Corporation
The Deputy Commissioner of Police (Traffic and Licensing) who is the Secretary and Executive Officer. } Members
One non-official person.

3. Officers

The Transport Commissioner is the head of the Department and is also the Chairman of the Central Road Traffic Board. He is assisted by two gazetted offivers namely the Secretary and the Assistant Secretary, Central Road Traffic Board.

There are six Regional Transport Officers who function as Secretaries and Executive Officers of the District Road Traffic Boards in their respective jurisdictions. Their jurisdiction and Head quarters are as follows:-

	Jurisdiction	Headquarters
1. Regional Transport Officer, Coimbatore	Malabar, Coimbatore South Kanara & Nilgiris	Coimbatore
2. Regional Transport Officer, Tiruchirappalli	Salem, Tiruchirapalli and Tanjore Dists.	Tiruchirapal
3. Regional Transport Officer, Cuddapah	Cuddapah, Kurnool, Bellary, Anantapur Chittoor & Nellore	Cuddapah
4. Regional Transport Officer, Rajahmundry	Vizagapatam, East Godavari, W. Godavari Kistna and Guntur	Rajahmundry
5. Regional Transport Officer, Vellore.	N. Arcot. S.Arcot Chingleput Dists.	Vellore
6. Regional Transport Officer, Madura	Madura, Ramnad and Tinnevelly Dists.	Madurai

The question whether the posts of Regional Transport Officers should be continued or whether the District Superintendent of Police should function as the Secretaries of the respective District Road Traffic Boards is under the consideration of the Government.

4. Functions.

The main function of the Regional Transport Authority is the control of transport vehicles by the issue of permits. The Central Road Traffic Board also functions as a Regional Transport Authority in respect of through traffic i.e. traffic for a distance of more than 100 miles.

For the prompt and convenient despatch of business of the District Road Traffic Boards those Boards have been empowered to delegate some of their functions to their Secretaries. An appeal lies from the decision of Secretary to the District Road Traffic Board and from the decision of the Road Traffic Board to the Central Road Traffic Board. There is also an appeal to Government from any original orders of the Central Road Traffic Board. It may be mentioned here that there is a Bill pending before the Provincial Legislature which provides for revisional powers to Government.

5. Procedure.

Business is transacted generally at the meetings of the Central and District Road Traffic Boards which are required to meet not less than once in two months. Questions are decided by a majority of the members present and voting at the meeting and in the case of equality of votes, the Chairmen exercises a second or casting vote. The Central Road Traffic Board or a Dist. Road Traffic Board is two and in the case of the City Road Traffic Board it is three.

6. Inspection of Motor Vehicles.

This is done by Motor Vehicles Inspectors. There is a Motor Vehicles Inspector in each district and in certain distiots like North Arcot Tirchirapalli and Guntur ther ar also Assistant Motor Vehicles Inspectors. There are two Motor Vehicles Inspectors in the City.

ADMINISTRATION OF M.M.V.T. ACT.

Under the M.M.V.T. Act, 1931, taxes have to be collected from all motor vehicles using the roads of the Province of Madras unless specifically exempted by Government.

(1) The Policy is generally not to grant exemptions except in exceptional cases. Lists of Vehicles exempted will be found at pp 342-557 of the R.T. Code. Vehicles belonging to Government and local bbodies are not exempt. The Commissioner of Police, Madras and other officers taluk head accountants etc in the mufassal have been appointed licensing officers under the Act. The police have been asked to conduct general surprise checks covering whole districts on pre arranged dates in each quarterly as well as routine checks to find out whether the payment of tax is being evaded and to take action against all persons who have failed to pay the tax within the period of grace of 7 days allowed from the beginning of the quarter.

(2) According to the previsions of the Act, the proceeds of the tax are utilized as follows:-

The Government is credited with (a) cost of collection of the tax which has been fixed at 2% of the net receipts.

(b) The cost of administrative control of M.Vs. i.e. the cost of the Provincial and Regional Transport Authorities road signs erected for guidance of motorists etc.

(c) Compensation for loss of income from additional licence fees levied by them before 1938 on M.Vs plying on Government roads.

The local bodies are also paid compensation(fixed at Rs.21.94 lakhs) for loss of income from licence fees ~~levied by~~ levied by them on transport vehicles before 1938. Out of the balance the local bodies and Government are to be paid" compensation for loss of income from tolls which they were levying prior to the commencement of the M.M.V. Act equal to their average receipts from tolls during 3 years ending 31-3-31. The maximum toll compensation payable in a year is Rs.68.34 lakhs to local bodies and 3.35 lakhs to Government but the Act also provides that if the proceeds of the tax are not sufficient to pay the compensation in full the amount available is paid in proportion to the maximum amounts payable.

True copy

Superintendent,
Madras Record Office.

AG

17-7-53

No further action is necessary. The papers may now be recorded in the M.S. G.O.

GOVERNMENT OF MADRAS
Abstract.

Indian Administrative Service - Probationers - Visit to Provincial Headquarters during June, July 1948 - Programme of Training Arrangements - Papers - Recorded.

Home Department.

G.O. Ms. 2395 dated 25-6-48

Order.

RECORDED.

(By Order of His Excellency the Governor)

Sd/-----

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Superintendent,
Madras Record Office.